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OCT 3 1 2005

OFFICE OF PETITIONS

In re Patent No. 6,812,624	:	
Pei, et al.	:	
Issue Date: November 2, 2004	:	DECISION ON
Application No. 09/619,847	:	PATENT TERM ADJUSTMENT
Filed: July 20, 2000	:	
Attorney Docket No. SRI1P026/US-	:	
4152-2	:	

This is a decision on the "APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. §1.705", filed July 12, 2004. Patentees requests correction of the patent term adjustment.

The application for patent term adjustment is **DISMISSED**.

On May 7, 2004, the Office mailed the Determination of Patent Term Adjustment under 35 U.S.C. 154(b) in the above-identified application. The Notice stated that the patent term adjustment (PTA) to date was four hundred forty-nine (449) days. On July 12, 2004, applicant¹ submitted an application for patent term adjustment, asserting that the correct number of days of PTA at the time of the mailing of the Notice of Allowance was three hundred sixteen (316) days. The application issued into Patent No. 6,812,624 with a patent term adjustment on three hundred seventy-eight (378) days.

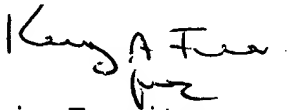
¹ PALM records indicate that the issue fee was paid on July 19, 2004.

The patent term adjustment has been reviewed and found to be correct. Moreover, it appears that patentees' PAIR records conflict with those of the Office. For example, the Notice of Allowance was mailed on May 7, 2004, not April 22, 2004, as stated by patentees. In addition, the first Office action on the merits was not mailed until January 3, 2003.

The correct determination of PTA at the time is **three hundred seventy-eight (378)** days (481 (470+11) days of PTO delay, reduced by 103 (71+3+29) days of applicant delay).

Receipt of the \$200 fee set forth in 37 C.F.R. §1.18(e) is acknowledged.

Telephone inquiries specific to this matter should be directed to Cliff Congo, Petitions Attorney, at (571)272-3207.



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